

Remarks

In the Claims

Claims 1, 4-14, 17 and 19 were pending.

Claims 1, 4-14, 17 and 19 are cancelled.

Claims 20 and 21 are new.

The application now contains claims 20 and 21.

Support for claim 20 is found in now cancelled claim 13; support for claim 21 is found in now cancelled claim 14.

In order to further prosecution and more clearly focus on specific features of Applicants' invention, all pending claims are cancelled and claims 13 and 14 have been rewritten as new independent claims 20 and 21. All limitations of encompassed by claims 13 and 14 as they existed in Applicants' previous amendment are incorporated therein. Applicants reserve the right to pursue the cancelled material in subsequent continuation applications.

No new matter is added.

Claim Objections

Claim 13 had been objected to for redundant references to claim 1. New claim 20 in its present independent language obviates the objections.

Claim Rejections

Claim 14 had been rejected under 35 USC 112 second paragraph as being indefinite for improperly being dependent on only a portion of claim 1. New claim 21 in its present independent language obviates the rejections.

Claims 13 and 14 had been rejected under 35 USC 103(a) as being obvious over either Pearlstine, US 6,087,416 or Kapelle, US 6,063,834 in view of Matyjaszewski, US 5,807,937.

Claims 13 and 14 had also been rejected under 35 USC 103(a) as being obvious over Spinelli, US 5,772,741 in view of Matyjaszewski, US 6,512,060.

It is anticipated that these rejections apply to new claims 20 and 21.

Applicants respectfully traverse these rejections.

Pearlstine, Kapelle and Spinelli all disclose pigment dispersions and the Matyjaszewski references disclose block copolymers useful in a variety of applications.

The present claims relate to processes for preparing compositions comprising a block copolymer of formula I and a pigment. The present block copolymers comprise as component A a polymer block consisting of specific repeating units of acrylic or methacrylic acid-C₁-C₂₄-alkyl esters and further comprise as component B a polymer block consisting of repeating units of acrylic or methacrylic acid-C₁-C₂₄-alkyl esters which are copolymerized with at least 50 % by weight of specific monomers carrying specific functional groups as related in the claims.

Applicants respectfully aver that pigment dispersions containing these specific polymers are not disclosed in the cited art. While one may make the argument that a person skilled in the art would try to make pigment dispersions with polymers obtained by the ATRP method of Matyjaszewski, Applicants submit that there is no guidance in the art to the specific polymers of the present invention.

The Examiner correctly points out that the use of different types of monomers in different amounts in ATRP would be expected to provide varying properties of the resulting polymer. However, the question remains, out of the myriad of options, which monomers and in what amounts. Applicants have provided a description of a select group of polymers, out this huge array, which are valuable in the preparation of pigment dispersions. Given the many technical requirements in the efficient preparation of said dispersions, Applicants respectfully aver that the hitherto unreported identification of particular polymers useful in these processes represents a valuable and not predictable contribution to the art.

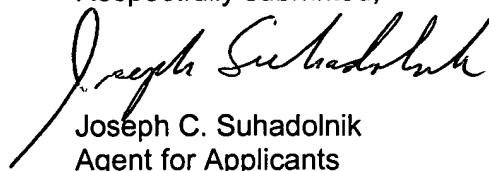
Give that the art provided no guidance to the selection of the present copolymers for the preparation of pigment dispersions, the huge choice of polymers from which to choose and the stringent technical requirements for efficient preparation of said dispersions, Applicants suggest that only after the fact of the discovery of the present invention would one skilled in the art be motivated to use these specific polymers in the process described.

Applicants therefore suggest that the 35 USC rejections over the combinations of Pearlstine, Kapelle or Spinelli in view of Matyjaszewski rejections are overcome and kindly ask that they be withdrawn.

Applicants further kindly ask that claims 20 and 21 found allowable in their present form.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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